

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE
WRIT PETITION NO.5913 OF 2005

Kashinath Gopal Khutarkar & ors. Petitioners

Vs.

State & anr. Respondents

Mr.G.S.Godbole for petitioners.

Mr.R.D.Rane, Govt.Pleader for resp.no.1.

CORAM: F.I.Rebello &
Dr.D.Y.Chandrachud, JJ.

September 14, 2005.

ORAL ORDER:

. It is the case of the petitioners that there is a consent decree by which they are entitled to 40 per cent of the land which the respondent no.2 has to make available. Though the petitioner has represented to the respondent No.2 on 24th March 2004 till date the same has not been decided. Considering the above, notice to respondent no.2 is dispensed with. The learned GP waives service for respondent no.1. Respondent no.2 is directed to dispose of the representation made by the petitioner on a copy of this order being served upon them within a period of four weeks thereafter, after hearing the petitioner, and the other co-sharers.

. With the above direction, the petition stands disposed of with no order as to costs.

. All parties to act on a copy of this order duly authenticated by the Associate of this Court.

(F.I.REBELLO, J.)

(DR.D.Y.CHANDRACHUD, J.)